

REMARKS

In the *Final Rejection* of February 3, 2003, all of the claims were rejected only on the basis of obviousness. The *Declaration* evidence previously submitted was deemed insufficient because it did not compare formulation A to the invention.

Specifically, the Examiner noted:

The 11-25-2002 Declaration, of Bruce J. Kokko, has been considered. However, the Declaration does not compare the elected process to the closest prior art, e.g. formulation A. It would have been prima facie obvious to substitute one nonionic surfactant for another. The Declaration states that Formulation A, which is the closest Prior Art (a commercially available debonder composition), uses a PEG dioleate. This is the same PEG-oleate as the elected species. Applicant compares formulae A to formulation P that does not have a PEG-dioleate, but instead uses PEG-400-monooleate. Applicant states that Formulation P is the "of the Application. It is assumed Applicant is comparing the instant invention (Formula P) to the closest Prior Art (formula A). PEG-400-monooleate is not the elected species. The Examiner has not searched such a species. The broad claims read on the elected species, PEG-dioleate, and the 132 Declaration does not overcome the prima facie case of obviousness over Formulation A, the ADMITTED PRIOR ART.

Submitted herewith is a *Third Declaration of Bruce J. Kokko* which includes a comparison of the formulation of Example Series A (outside of the scope of the claims of this case) with the formulation of Example O, which is an example of debonder which is utilized in accordance with the invention and consists primarily of dioleate and methylimidazolinium surfactants.

It is seen from the *Declaration*, paragraph 4 especially, that the compositions of the invention unexpectedly exhibit more tensile reduction at a given add-on rate with less quaternary surfactant. This is a highly significant result since oftentimes commercial operations are limited in the amount of cationic addition that can be tolerated.

The advantages of the claimed invention, Claim 1 being representative, are not believed remotely suggested in the art:

1. In a process for making making an absorbent sheet material from a web of fibrous material consisting of 100% by weight cellulosic recycle material, the improvement which comprises treating the fibrous material with a debonding composition which includes a synergistic combination of:
 - (a) a quaternary ammonium surfactant component which includes an imidazolinium salt; and
 - (b) a nonionic surfactant component present in said debonding composition in an amount of from about 25 to about 60 weight percent based on the combined weights of said nonionic surfactant component and said quaternary ammonium surfactant component;

wherein said nonionic surfactant component comprises a surfactant selected from the group consisting of group c, d or e and wherein group:

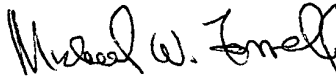
- (c) are monoalkylated nonionic surfactants comprising alkoxyated fatty acids or alkoxyated fatty alcohols having an **HLB** value of greater than about 10 wherein said fatty acids and fatty alcohols have 12 carbon atoms or more;
- (d) are dialkylated nonionic surfactants comprising alkoxyated fatty acids or alkoxyated fatty alcohols with an **HLB** value of greater than about 10 wherein said fatty acids or fatty alcohols have about 16 carbon atoms or more;
- (e) are dialkylated nonionic surfactants comprising alkoxyated fatty alcohols or alkoxyated fatty acids having an **HLB** value of less than about 10 and wherein said fatty alcohols and fatty acids have about 16 carbon atoms or less;

wherein further the debonding composition is operable to reduce the tensile strength of said sheet by at least about 25 percent by application to said recycle fibrous material at a treatment level of 1 mole of said quaternary ammonium surfactant component per ton of recycle fibrous material.

In view of the enclosed *Declaration* and the foregoing Remarks, this application is believed in condition for issuance. This *Amendment* is being filed with a *Petition* and fee for a one-month extension of time. If additional extensions or fees are necessary, please consider this a *Petition* therefore and charge any fees to Deposit Account No. 50-0935.

If for any reason the Examiner would like to discuss this application, the Examiner is invited to call at the telephone number listed below.

Respectfully submitted,



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